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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,812	05/15/2008	Edward Zheng	100697.0025US	6637
34284	7590	09/10/2008		
Rutan & Tucker, LLP. 611 ANTON BLVD SUITE 1400 COSTA MESA, CA 92626			EXAMINER WHITE, RODNEY BARNETT	
			ART UNIT 3636	PAPER NUMBER
			MAIL DATE 09/10/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/597,812	<b>Applicant(s)</b> ZHENG, EDWARD	
	<b>Examiner</b> Rodney B. White	<b>Art Unit</b> 3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/09/2006</u>  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang (U.S. Patent No. 5,893,605) in view of Halliday (U.S. Patent No. 5,149,120).

Chang shows a collapsible chair comprising a first cross bar and a second cross bar, and a second cross brace with a third cross bar and a fourth cross bar, wherein the first and second cross braces are coupled to each other via a third cross brace with a fifth cross bar and a sixth cross bar and a fourth cross brace with a seventh cross bar and an eighth cross bar, such that one end of the first cross bar is pivotably coupled to one end to the eighth cross bar and one end of the second cross bar is pivotably coupled to one end of the sixth cross bar to form a quad structure. Each of the first cross bar and the second cross bar, the third cross bar and the fourth cross bar, the fifth cross bar and the sixth cross bar, and the seventh cross bar and the eighth cross bar are rotatably coupled to each other via a first, second, third, and fourth axis, respectively but does not teach the spacer element. However, Halliday teaches a spacer element that maintains a minimum distance of at least 1 cm between the cross

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bars that are rotatably coupled to each other. It would have been obvious and well within the level of ordinary skill in the art to modify the chair, as taught by Chang, to include spacer elements coupled to the first, second, and third, and fourth axes, as taught by Halliday, since it would prevent inadvertent folding of the chair and to reduce collapsibility of the collapsible chair as compared to a chair without a spacer element.

Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang (U.S. Patent No. 5,893,605) in view of Aycock (U.S. Patent No. 5,975,626).

Chang shows a collapsible chair comprising a first cross bar and a second cross bar, and a second cross brace with a third cross bar and a fourth cross bar, wherein the first and second cross braces are coupled to each other via a third cross brace with a fifth cross bar and a sixth cross bar and a fourth cross brace with a seventh cross bar and an eighth cross bar, such that one end of the first cross bar is pivotably coupled to one end to the eight cross bar and one end of the second cross bar is pivotably coupled to one end of the sixth cross bar to form a quad structure. Each of the first cross bar and the second cross bar, the third cross bar and the fourth cross bar, the fifth cross bar and the sixth cross bar, and the seventh cross bar and the eight cross bar are rotatably coupled to each other via a first, second, third, and fourth axis, respectively but does not teach the spacer element. However, Aycock teaches a spacer element that maintains a minimum distance of at least 1 cm between the cross bars that are rotatably coupled to each other. It would have been obvious and well within the level of ordinary skill in the art to modify the chair, as taught by Chang, to

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include spacer elements coupled to the first, second, and third, and fourth axes, as taught by Aycock, since it would reduce collapsibility of the collapsible chair as compared to a chair without a spacer element.

Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang (U.S. Patent No. 5,893,605) in view of Ku (U.S. Patent Application Publication No. 2003/0006632 A1).

Chang shows a collapsible chair comprising a first cross bar and a second cross bar, and a second cross brace with a third cross bar and a fourth cross bar, wherein the first and second cross braces are coupled to each other via a third cross brace with a fifth cross bar and a sixth cross bar and a fourth cross brace with a seventh cross bar and an eighth cross bar, such that one end of the first cross bar is pivotably coupled to one end to the eight cross bar and one end of the second cross bar is pivotably coupled to one end of the sixth cross bar to form a quad structure. Each of the first cross bar and the second cross bar, the third cross bar and the fourth cross bar, the fifth cross bar and the sixth cross bar, and the seventh cross bar and the eight cross bar are rotatably coupled to each other via a first, second, third, and fourth axis, respectively but does not teach the spacer element. However, Ku teaches a spacer element that maintains a minimum distance of at least 1 cm between the cross bars that are rotatably coupled to each other. It would have been obvious and well within the level of ordinary skill in the art to modify the chair, as taught by Chang, to include spacer elements coupled to the first, second, and third, and fourth axes, as taught by

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Ku, since it would reduce collapsibility of the collapsible chair as compared to a chair without a spacer element.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney B. White whose telephone number is (571) 272-6863. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Dunn can be reached on (571) 272-6670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rodney B. White/  
Primary Examiner  
Art Unit 3636  
September 8, 2008